

**Certification**

**STATE OF NEW YORK, COUNTY OF KINGS, SS:**

**I, Nancy T. Sunshine, County Clerk and Clerk of Supreme Court Kings County,**

**do hereby certify that on May 2, 2018 I have compared**

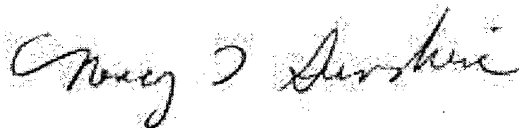
**the document attached hereto,**

**10559/2009 Stip. so ordered filed 5/25/2016 page(s) 1-2**

**with the originals filed in my office and the same is a correct transcript**

**therefrom and of the whole of such original in witness**

**whereto I have affixed my signature and seal.**



**NANCY T. SUNSHINE  
KINGS COUNTY CLERK**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

INDYMAC FEDERAL BANK FSB,

Plaintiff,

-vs-

BEREL ZISMAN; SHARON ZISMAN a/k/a SHARON R.  
ZISMAN; NEW YORK CITY ENVIRONMENTAL  
CONTROL BOARD; "JOHN DOE" AND "JANE DOE "  
said names being fictitious, it being the intention of Plaintiff  
to designate any and all occupants of premises being  
foreclosed herein,

Defendants.

INDEX NO.: 10559/2009  
Cal # 32/23-SEQ 000/006  
MORTGAGED PREMISES:  
4414 10<sup>th</sup> AVENUE  
BROOKLYN, NY 11219

(KWD)

**STIPULATION AND ORDER DISMISSING ACTION  
AND CANCELLING NOTICES OF PENDENCY**

WHEREAS, defendant Berel Zisman ("Defendant") filed a motion for summary judgment on February 4, 2016 (the "SJ Motion"); and

WHEREAS, plaintiff IndyMac Federal Bank FSB filed a motion to discontinue the action on February 11, 2016 (the "Discontinuance Motion"); and

WHEREAS, both the SJ Motion and the Discontinuance Motion are returnable before the Court on May 16, 2016;

NOW, on consent of both Plaintiff and Defendant, and by Order of the Court; it is

ORDERED, that Plaintiff's Discontinuance Motion is hereby withdrawn; and it is further

ORDERED, that Defendant's SJ Motion is granted without opposition,

and it is further

ORDERED, that the above-captioned action is hereby dismissed; and it is further

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**ORDERED**, that the Notice of Pendency of Action filed in this action in the Kings County Clerk's Office on the 30th day of April, 2009, and the additional Notice of Pendency of Action filed in this action in the Kings County Clerk's Office on the 7th day of March, 2012 are hereby cancelled and discharged from the records of the Kings County Clerk's Office; and it is further

**ORDERED**, that the parties may sign this Stipulation and Order in counterparts and a copy, facsimile, or PDF of same shall be considered as effective as an original.

Dated: May 16, 2016

HOGAN LOVELLS US LLP

ELI S. FIXLER, ESQ.

By: 

Nicole E. Schiavo

Leah Rabinowitz Lenz

By: 

Eli S. Fixler

875 Third Avenue  
New York, NY 10022  
Tel. (212) 918-3000

1507 Avenue M  
Brooklyn, NY 11230  
Tel. (718) 382-5454

*Attorneys for Plaintiff IndyMac  
Federal Bank FSB*

*Attorney for Defendant Berel Zisman*

So Ordered: 

Hon. Peter P. Sweeney

**HON. PETER P. SWEENEY, J.S.C.**

FILED  
KINGS COUNTY CLERK  
2016 MAY 25 AM 7:00